

Appl. No.: 09/987,849
Response/Amendment dated March 14, 2006
Response to Non-Final Office Action dated December 19, 2005

REMARKS/ARGUMENTS

Claims 106-142 are pending in the application. Claims 106-142 are rejected. Through this Response and Amendment, claims 106, and 113 – 126 have been amended to fix minor typographical errors and informalities. Claim 143 has been added. No new matter has been introduced into the application. As explained in more detail below, Applicants submit that all claims are in condition for allowance and respectfully request such action.

Claims 106 and 113- 126

As indicated above, claims 106, and 113 – 126 have been amended to fix minor typographical errors and informalities. Specifically, the terms “a” or “the” was amended before the term “housing” to provide proper antecedent basis. Claims 120 – 126 were previously in improper form for comprising a single means. Through this Response and Amendment, the Applicants have replaced “means” with “apparatus” to place the claims in proper form and more clearly recite the subject matter of the claims.

Claim Rejections – 35 USC § 102

Claims 106, 108-113, 116-131 and 133-142 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,491,507 to Umezawa et al., (“Umezawa”). The Applicants traverse the rejection in view of the Remarks below.

Umezawa is directed to a mobile terminal configured to have a detachable camera slidably and rotatably mounted on the side of the mobile terminal. Indeed, any reference to the

Appl. No.: 09/987,849

Response/Amendment dated March 14, 2006

Response to Non-Final Office Action dated December 19, 2005

sliding and rotation of the camera is in the context of placement of the entire camera for use and not for altering the optical properties through a means adapted to cooperate with the lens module.

As set forth in Umezawa, one side of the camera is coupled to a pivot 32 mounted on the right side surface of the body 2 with respect to the display panel 11, which extends substantially perpendicular to the side surface (See, Col. 7, lines 40 – 45). As seen in Figs. 6 and 7, a lens portion is provided at the end of the camera 3, which is slidable in the longitudinal direction of the camera relative to the body. An indent 25 receives an end of the lens portion 24 formed at the lower end of the fixture 21A of the antenna. When the lens portion is pulled up and brought into engagement with the indent 25, as shown in Fig. 6, the camera 3 is fixed for storage protecting the lens from dust and water as described in Col. 7, lines 60 – Col. 8, line 5. A user may then rotate the camera having to an angle of view he/she desired as shown in Fig. 7.

As such, there is no disclosure of either 1) altering the optical properties of a lens module through a means that is part of the mobile terminal housing or 2) the means being adapted to cooperate with the lens module.

Regarding the first point, the Office Action appears to confuse the housing of the camera with the housing of the terminal device. In rejecting claims 106, 108-113, 116-131 and 133-142, the Office Action asserts “the part of housing (camera 3) comprises the means for changing optical properties.” (Office Action dated December 19, 2005; page 4). In contrast, the rejected claims recite that the means is part of the mobile terminal, not the camera, that is cooperatively adapted (discussed below) with the lens module.

Regarding the second point, as specifically set forth in independent claims 106, 113, 120, 125, 131, the lens module provides the imaging properties of the camera which enable pictures to

Appl. No.: 09/987,849
Response/Amendment dated March 14, 2006
Response to Non-Final Office Action dated December 19, 2005

be taken (*i.e.*, exemplary claim 106 provides “a camera system comprising a lens module, which enables taking pictures with optical imaging properties given by the lens module”). Also, as described in the specification of the instant invention, “[t]he lens module operates as a standard imaging optics of the camera system. (Page 17, Paragraph 0060; emphasis added). Umezawa does not teach, disclose, or otherwise suggest any portion of the mobile terminal cooperating directly with the imaging optics.

As set forth in the specification, a portion of the mobile terminal may comprise additional lenses, wherein “[l]enses set in front of a lens module of a camera system enable to change of [*sic*] optical properties of the lens module, like focus length, field of view, magnification or minimal imaging distance.” (Page 19, Paragraph 0064). The optical properties may be adjusted through the use of the use of several lenses, filters, and other means that are built into or otherwise part of the mobile terminal housing that cooperates with the lens module to altering the optical properties the lens module is capable of.

For at least these reasons, the Applicants submit that Umezawa does not teach, disclose, or otherwise suggest the subject matter of claims 106, 108-113, 116-131 and 133-142. Nor does Umezawa teach, disclose, or suggest the subject matter of new claim 143. Therefore, the Applicants respectfully request reconsideration and withdrawal of the rejection.

Claim Rejections – 35 USC § 103

Claims 107, 114-115 and 132 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,491,507 to Umezawa et al., (“Umezawa”) in view of U.S. Pat. No.

Appln. No.: 09/987,849
Response/Amendment dated March 14, 2006
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6,373,524 to Suda et al., ("Suda"). The Applicants traverse the rejection in view of the Remarks below.

The rejected claims recite that the part of a mobile terminal housing comprising the means for changing optical properties is detachably connected to the camera system. The Office Action asserts that Umezema does not show the means for changing the optical properties being "detachably connected with said camera system." (Office Action dated December 19, 2005; page 9). It appears the Office Action again confuses the "housing" of the mobile terminal with the "housing" of the camera. The claims recite that the housing of the mobile terminal is detachably connected with the camera system. In contrast, Suda is not directed to cameras within a mobile terminal, and does not teach, disclose, or otherwise suggest a portion of a terminal housing that is detachably connected with a camera system. In fact, nowhere does Suda even recite the terms "mobile terminal", "cellular", or even "phone". Indeed, as explained in the Specification of the instant invention, the low weight, small size, and budgetary restrictions prohibited the application of many advanced optical systems of conventional stand-alone cameras. (*See, e.g.*, Paragraphs 5 – 6).

Moreover, as discussed above, Umezawa does not meet the limitations of the base claims from which claims 107, 114-115 and 132 depend. For at least these reasons and those already submitted, the Applicants respectfully request reconsideration and withdrawal of the rejection.

CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

Appl. No.: 09/987,849
Response/Amendment dated March 14, 2006
Response to Non-Final Office Action dated December 19, 2005

All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the number set forth below.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: 3/14/06

By: 

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